

**12.330 Kentucky Agency for Substance Abuse Policy (KY-ASAP) -- Organization -
- Purpose -- Members of KY-ASAP Board -- Duties of board.**

- (1) As used in KRS 12.330 to 12.334, "KY-ASAP" means the Kentucky Agency for Substance Abuse Policy.
- (2) The Kentucky Agency for Substance Abuse Policy is created and attached for administrative purposes to the Office of the Governor. KY-ASAP shall be headed by an executive director with experience in overseeing programs involving tobacco and substance abuse and shall have other staff as necessary to conduct its affairs.
- (3) KY-ASAP shall administer an endowment from interest generated through funds appropriated or gifts, donations, or funds received from any source. KY-ASAP may expend endowment principal, if necessary in its discretion, to carry out the purposes of KRS 12.330 to 12.334. These expenditures from the endowment principal are hereby appropriated for this purpose.
- (4) (a) The seventeen (17) member KY-ASAP Board is created to oversee the activities of KY-ASAP. Membership of the board shall be appointed by the Governor and shall consist of the following:
 1. One (1) member representing the Kentucky Family Resource Youth Services Coalition, or a designee;
 2. One (1) member representing the Kentucky Health Department Association, or a designee;
 3. The secretary of the Cabinet for Health and Family Services, or designee;
 4. The secretary of the Justice Cabinet, or a designee;
 5. One (1) member representing the Division of Mental Health and Substance Abuse Services within the Department for Mental Health and Mental Retardation Services, Cabinet for Health and Family Services, or a designee;
 6. The commissioner of the Department for Public Health, Cabinet for Health and Family Services, or a designee;
 7. The executive director of the Office of Alcoholic Beverage Control, or a designee;
 8. The commissioner of the Department of Education;
 9. The director of the Administrative Office of the Courts, or a designee;
 10. One (1) member representing the Kentucky Association of Regional Programs, or a designee;
 11. One (1) member representing the Kentucky Heart Association, or a designee;
 12. One (1) member representing the Kentucky Lung Association, or a designee;
 13. One (1) member representing the Kentucky Cancer Society, or a designee;

14. Two (2) members representing local tobacco addiction and substance abuse advisory and coordination boards; and
 15. Two (2) members representing private community-based organizations, whether for-profit or nonprofit, with experience in programs involving smoking cessation or prevention or alcohol or substance abuse prevention and treatment.
- (b) Members shall serve for a term of four (4) years, may be reappointed, and may serve no more than two (2) consecutive terms. Members shall not be compensated but shall receive reimbursement for expenses incurred while performing board business.
 - (c) The board shall meet at least quarterly. A quorum of nine (9) members shall be required for the transaction of business. Meetings shall be held at the call of the chair, or upon the written request of two (2) members to the chair.
 - (d) The board shall:
 1. Oversee deposits and expenditures from the endowment;
 2. Request, in its discretion, an audit relating to the expenditure of endowment funds;
 3. Receive quarterly reports from the executive director regarding KY-ASAP's activities;
 4. Progress toward development and implementation of the strategic plan;
 5. Recommend to KY-ASAP the most efficient means for using public funds to coordinate, supplement, and support high quality and ongoing programs of all public agencies and private service providers related to smoking cessation and prevention and alcohol and substance abuse prevention and treatment;
 6. Recommend matters for review and analysis by KY-ASAP; and
 7. Perform other duties as necessary for the oversight of KY-ASAP.
- (5) KY-ASAP shall promote the implementation of research-based strategies that target Kentucky's youth and adult populations.
 - (6) KY-ASAP shall vigorously pursue the philosophy that tobacco in the hands of Kentucky's youth is a drug abuse problem because of the addictive qualities of nicotine, and because tobacco is the most prevalent gateway drug that leads to later and escalated drug and alcohol abuse.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 99, sec. 10, effective June 20, 2005. -- Created 2000 Ky. Acts ch. 536, sec. 25, effective July 14, 2000.

Legislative Research Commission Note (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.